HOUSE No. 4626

The Commonwealth of Massachusetts

By Mr. Murphy of Burlington, for the committee on Ways and Means, on Senate. No. 2370, reported, in part, a Bill making appropriations for the fiscal year 2010 to provide for supplementing certain existing appropriations and for certain other activities and projects

An Act MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2010 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

FOR THE COMMITTEE

NAME:	DISTRICT/ADDRESS:
Charles Murphy	21st Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2010 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1	Whereas, The deferred operation of this act would tend to defeat its purposes, which are
2	forthwith to make supplemental appropriations for fiscal year 2010 and to make certain changes
3	in law, each of which is immediately necessary to carry out those appropriations or to
4	accomplish other important public purposes, therefore it is hereby declared to be an emergency
5	law, necessary for the immediate preservation of the public convenience.
6	To provide for supplementing certain items in the general appropriation act and other appropriation acts
7	for fiscal year 2010, the sums set forth in section 2 are hereby appropriated from the General Fund unless
8	specifically designated otherwise in this act or in those appropriation acts, for the several purposes and
9	subject to the conditions specified in this act or in those appropriation acts, and subject to the laws
10	regulating the disbursement of public funds for the fiscal year ending June 30, 2010. These sums shall be
11	in addition to any amounts previously appropriated and made available for the purposes of those items.
12	SECTION 2.
13	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
14	Division of Medical Assistance
15	4000-0600

4000-0700\$92,829,490

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EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary

17	7004-0101 \$18,226,110
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10 19	SECTION 3. Chapter 167 of the acts of 2009 is hereby amended by striking out sections 16 to
20	23, inclusive, and inserting in place thereof the following 8 sections:-
21	Section 16. Notwithstanding section 2 of chapter 128C of the General Laws or any other
22	general or special law or rule or regulation to the contrary, the greyhound meeting licensee
23	located in Bristol county and the greyhound meeting licensee located in Suffolk county shall pay
24	all premiums received pursuant to said section 2 of said chapter 128C to the Racing Stabilization
25	Fund established in section 20.
26	Section 17. Notwithstanding chapter l28C of the General Laws or any other general or
27	special law or rule or regulation to the contrary, simulcast revenues generated by the greyhound
28	meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk
29	county and otherwise dedicated to purse accounts at the licensees or to be distributed to breeders'
30	associations at guest dog tracks shall be dedicated to the Racing Stabilization Fund established in
31	section 20.
32	Section 18. Notwithstanding chapters 128A and 128C of the General Laws or any other
33	general or special law or rule or regulation to the contrary, amounts from unclaimed winnings
34	and breaks generated by the greyhound meeting licensee located in Bristol county and the
35	greyhound meeting licensee located in Suffolk county shall be dedicated to the Racing
36	Stabilization Fund established in section 20.
37	Section 19. Notwithstanding any general or special law or rule or regulation to the
38	contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting
39	licensee located in Suffolk county shall, unless otherwise provided in this act, be subject to
40	chapter 128A of the General Laws, chapter 128C of the General Laws and chapter 139 of the
41	acts of 2001.

42 Section 20. Notwithstanding any general or special law or rule or regulation to the contrary, there shall be a Racing Stabilization Fund that shall be administered by the 43 44 undersecretary for consumer affairs and business regulation within the executive office of 45 housing and economic development. The fund shall consist of all revenues dedicated pursuant to this act. In fiscal year 2010, the undersecretary shall transfer from the fund an amount not less 46 than \$300,000 to the department of public health for a compulsive gamblers' treatment program. 47 Not more than \$300,000 may be expended to assist efforts to secure alternative employment and 48 49 retraining opportunities for displaced workers impacted by the passage of chapter 388 of the acts of 2008. The state racing commission, or a successor agency, shall report to the undersecretary, 50 51 the executive office for administration and finance and the house and senate committees on ways 52 and means not later than the last day of each month, of the projected program revenue, program expenses and operating costs associated with overseeing simulcasting through July 31, 2010. In 53 54 the event of a deficit, the undersecretary may transfer from the fund an amount not to exceed \$100,000 for the operating costs of the commission. Any balance in the fund at the end of the 55 56 fiscal year shall not revert to the General Fund; provided, however, that the undersecretary shall 57 distribute to owners and lessees of greyhound dogs who have raced in calendar year 2009 for the humane care, maintenance and adoption of those greyhound dogs, a sum equal to 1 per cent of 58 59 the total amount wagered at each racing meeting licensee within the commonwealth acting as a guest track and simulcasting a live greyhound race from a host track from outside the 60 61 commonwealth; provided, however, that before any such amount is distributed, the undersecretary shall develop a method and criteria by which to distribute such funds in an 62 63 equitable manner among dog owners. The undersecretary shall distribute to kennel owners who housed greyhound dogs who have raced in calendar year 2009 for the humane care, maintenance 64 65 and adoption of those greyhound dogs, a sum equal to 1.5 per cent of the total amount wagered at each racing meeting licensee within the commonwealth acting as a guest track and simulcasting a 66 live greyhound race from a host track from outside commonwealth; provided, however, that 67 68 before any amount is distributed, the undersecretary shall develop a method and criteria by 69 which to distribute such funds in an equitable manner among kennel owners; and provided 70 further, the undersecretary shall begin payments to kennel owners in January 2010. Such payments shall be paid on a biweekly basis beginning on January 4, 2010.

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Section 21. Notwithstanding section 12A of chapter 494 of the acts of 1978 or any other general or special law or rule or regulation to the contrary, on January 1, 2010, the comptroller shall transfer all monies deposited in the Greyhound Capital Improvements Trust Fund and the Greyhound Promotional Trust Fund, each established under said section 12A of said chapter 494, to the Racing Stabilization Fund established in section 20. After January 1, 2010, the comptroller shall transfer any revenues deposited into the Greyhound Capital Improvements Trust Fund and the Greyhound Promotional Trust Fund into the Racing Stabilization Fund within 10 days after receipt of those revenues.

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Section 22. Notwithstanding any general or special law to the contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county shall report monthly to the state racing commission, or a successor agency, on their net and gross revenue, including an itemization of premiums received, fees received and any amounts dedicated to purse accounts, the Greyhound Capital Improvements Trust Fund and the Greyhound Promotional Trust Fund. The report shall include the number of part-time and fulltime staff employed by the licensees at the close of the previous month. The report shall also include the total amount of premiums paid to the harness horse meeting licensees located in Norfolk county and the running horse meeting licensee located in Suffolk county. Failure to file the report on the tenth day of each month shall be cause for suspension of the greyhound meeting license. The state racing commission, or a successor agency, shall forward all such reports to the house and senate committees on ways and means, the joint committee on economic development and emerging technologies and the joint committee on labor and workforce development. The greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county shall also prepare a report of all funds received and disbursed for calendar years 2008 and 2009. The report shall also be filed with the state racing commission, or a successor agency, not later than June 30, 2010, and the state racing commission shall forward the reports to the house and senate committees on ways and means, the joint committee on economic development and emerging technologies and the joint committee on labor and workforce development.

Section 23. Notwithstanding any general or special law, rule or regulation to the contrary, monies in the Racing Stabilization Fund established in section 20 may be used to assist

efforts to secure alternative employment and retraining opportunities for displaced workers impacted by the enactment of chapter 388 of the acts of 2008 including, but not limited to, coordinating the delivery of available state and federal resources and services; provided, however, that such funds from the fund shall only be expended after all federal funds from the Workforce Investment Act and the American Reinvestment and Recovery Act have been exhausted; provided further, that state funds shall be distributed in accordance with section 20 provided further, that the secretary of labor and workforce development shall develop a plan to implement this section and submit a copy of the plan to the house and senate committees on ways and means, the joint committee on economic development and emerging technologies and the joint committee on labor and workforce development not later than July 31, 2010.